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SOAR Implementation in Criminal Justice Settings

Presented by the Substance Abuse and Mental Health
Services Administration (SAMHSA)
SOAR Technical Assistance (TA) Center
U.S. Department of Health and Human Services

March 25, 2020



SAMHSA
Substance Abuse and Mental Health
Services Administration

Disclaimer

The views, opinions, and content expressed in this presentation do not necessarily reflect the views, opinions, or policies of the Center for Mental Health Services (CMHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), or the U.S. Department of Health and Human Services (HHS).

Webinar Instructions

- Muting
- Recording availability
- Downloading documents
- Questions and Answers

Purpose and Objectives

- Discuss the connection between serious mental illness, homelessness, and incarceration
- Review the impact of incarceration for SSI/SSDI beneficiaries
- Review key strategies for introducing SOAR to and engaging criminal justice systems
- SOAR best practices for assisting SSI/SSDI applicants who are involved in the criminal justice system
- Discuss successful SOAR implementation from a management and caseworker perspective

Agenda

Presenters

- Dazara Ware, MA, Senior Project Associate, SAMHSA SOAR TA Center, Policy Research Associates, Delmar, New York
- Deborah Dunham, LCSW, Community Integration Coordinator and SOAR Local Lead, California Department of State Hospitals, Coalinga, California
- Amy Dean- Campmire, Mental Health and Housing Program Manager, Kansas Department of Corrections, Topeka, Kansas
- Michelle Cadue, SOAR Specialist, Kansas Department of Corrections, Topeka, Kansas

Questions and Answers

- Facilitated by the SAMHSA SOAR TA Center

Welcome!

Asha Stanly, MSW, LICSW
Government Project Officer
Division of State and Community Systems Development
Center for Mental Health Services
Substance Abuse and Mental Health Services Administration

March 25, 2020



SAMHSA
Substance Abuse and Mental Health
Services Administration

SOAR Implementation in Criminal Justice Settings: An Overview

Dazara Ware

Senior Project Associate

SAMHSA SSI/SSDI Outreach, Access, and Recovery (SOAR)
Technical Assistance (TA) Center

March 25, 2020



SAMHSA
Substance Abuse and Mental Health
Services Administration

What is SOAR?



- A model for assisting eligible adults and children to apply for Social Security Administration (SSA) disability benefits
- For individuals who are experiencing or at risk of homelessness and have a serious mental illness, co-occurring substance use disorder, or other physical disabilities
- Sponsored by SAMHSA in collaboration with the Social Security Administration (SSA) since 2005
- All 50 states and Washington, DC currently participate

What Makes SOAR Unique? The SOAR Model!



SOAR-trained case workers are the heroes!



SOAR Leadership Structure



SOAR TA Center

- Facilitates strategic planning meetings
- Conducts Leadership Academies, webinars, & learning communities
- Develops resources, including SOARWorks, the SOAR Online Course, and OAT
- Provides TA at all stages of SOAR implementation

State Team Lead

- Facilitates state steering committee
- Directs plans to grow & sustain statewide activities
- Serves as liaison to localities
- Maintains relationships with SSA & DDS
- Submits SOAR outcomes to the TA Center

Local Lead

- Facilitates local steering committee
- Directs local implementation plans
- Facilitates SOAR Online Course cohorts
- Conducts SOAR Online Course Review Sessions
- Ensures quality applications & reports outcomes

Case Manager

- Completes high-quality SSI & SSDI applications using the SOAR model
- Communicates with local SSA & DDS representatives
- Tracks application outcomes

*OAT: Online Application Tracking Program

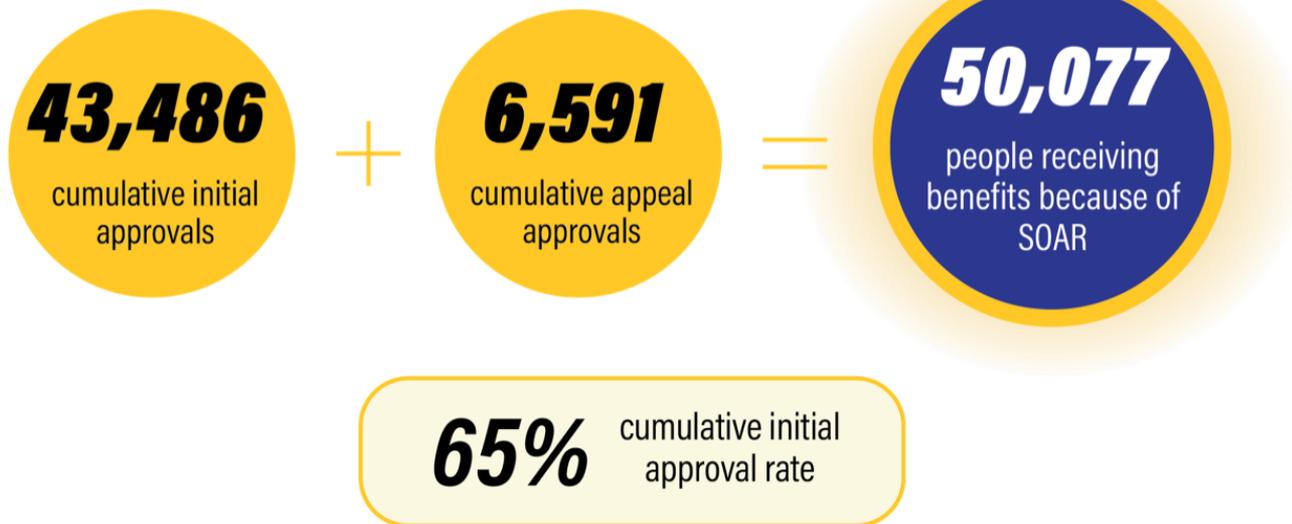
*SSA: Social Security Administration

*DDS: Disability Determination Services

*TA: Technical Assistance

SOAR Works!

CUMULATIVE OUTCOMES



*National SOAR outcomes as of June 30, 2019

<https://soarworks.prainc.com/article/soar-outcomes-and-impact>

2019 National Outcomes



*As compared to a 29% approval rate for all SSI/SSDI applicants nationwide

SSI Annual Statistical Report, 2017. Table 70. SSA Pub. No. 13-11827. Washington, D.C.: SSA, September 2018

The Basics: SSA's Definition of Disability for Adults

- The inability to engage in any *substantial gainful activity (SGA)* (\$1,260/month in 2020)
- By reason of any *medically determinable* physical or mental *impairment(s)*
- Which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months.

The Basics: SSI and SSDI

Supplemental Security Income (SSI)

- Eligibility based on need: low income and resources; living arrangement
- Monthly amount based on Federal Benefit Rate: \$783/month (2020)*
- Date of eligibility based on Protective Filing Date/Application Date
- Health insurance: Medicaid

Social Security Disability Insurance (SSDI)

- Eligibility based on insured status (FICA payments)
- Monthly amount based on earnings history
- Date of eligibility based on “date of onset” of disability, 5 month waiting period
- Health insurance: Medicare

Why SOAR for Individuals Involved in the Legal System?

People with mental illnesses remain in jail **eight times longer** than other offenders at a cost that is **seven times higher** (Mental Health America, 2008).



At least **three quarters** of incarcerated individuals with mental illness have a **co-occurring substance use disorder** (Council of State Governments, 2012).



More than **20 percent** of prisoners with mental illness experienced homelessness in the months before their incarceration, compared with 10 percent of the general prison population (Greenberg & Rosenheck, 2008).

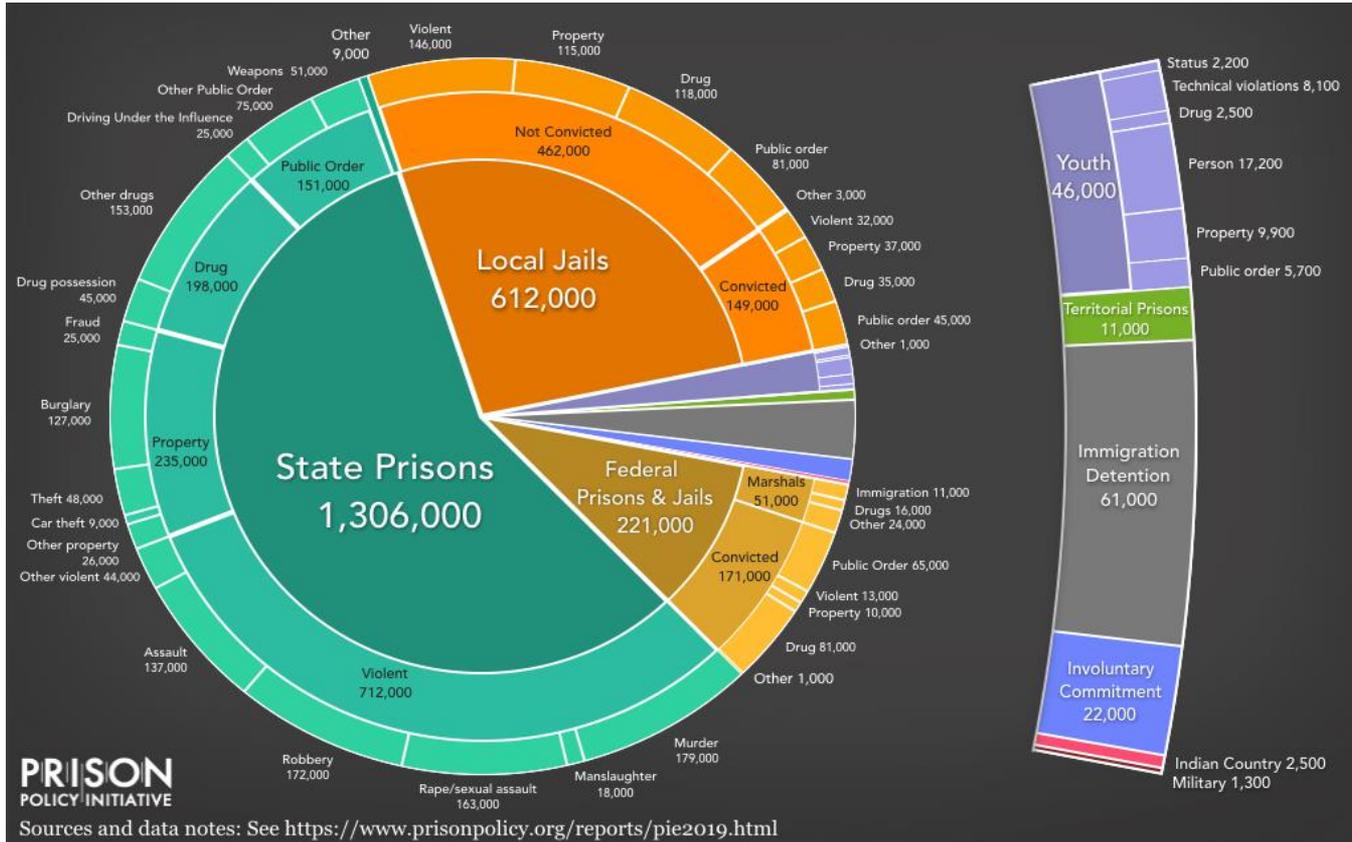


**BEHAVIORAL
HEALTH** **CRIMINAL
JUSTICE**

The intersection of criminal justice and behavioral health not only affects the justice-involved person but all systems involved in their care.

TREATMENT, HOUSING, EMPLOYMENT, SUPERVISION

Incarceration in the United States



Prevalence of Serious Mental Illness in Prison

- In 2016, SAMHSA estimated that about 10.4 million adults in the United States had a serious mental illness
- The Bureau of Prisons (BOP) oversees 187,910 individuals (as of May 2017)
 - 7,831 (4 percent) of these incarcerated individuals had a serious mental illness

Justice-Involved People: SMI and Homelessness

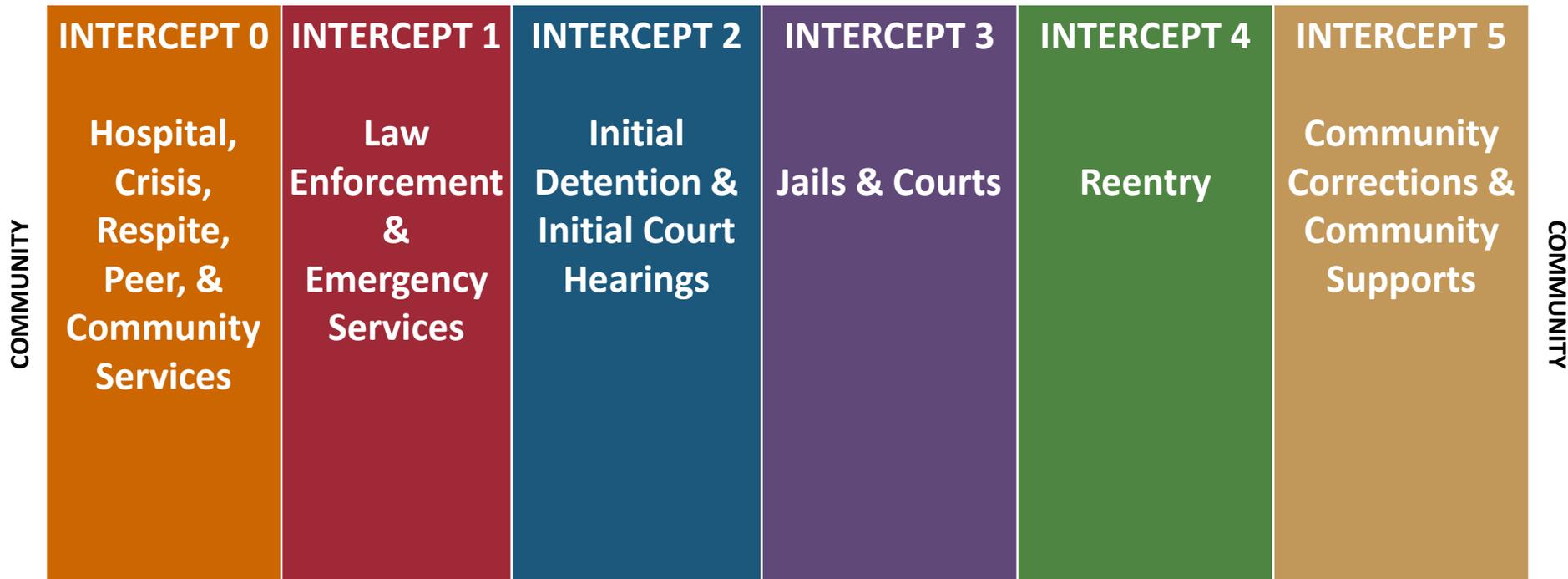
- Nearly 50,000 people a year enter shelters directly after release from correctional facilities
- People with serious mental illness are more likely to be:
 - Arrested multiple times for the same crime
 - Spend more time in jail before adjudication
 - Serve longer sentences, and
 - Have higher recidivism rates than those without mental illness

USICH. 2016. https://www.usich.gov/resources/uploads/asset_library/Reentry_Housing_Resource_Tipsheet_Final.pdf

Wrenn, G., McGregor, B., & Munetz, M. (2018). The fierce urgency of now: Improving outcomes for justice-involved people with serious mental illness and substance misuse. *Psychiatric Services*, 69(7), 829–831.

<https://doi.org/10.1176/appi.ps.201700420>

Sequential Intercept Model (SIM)

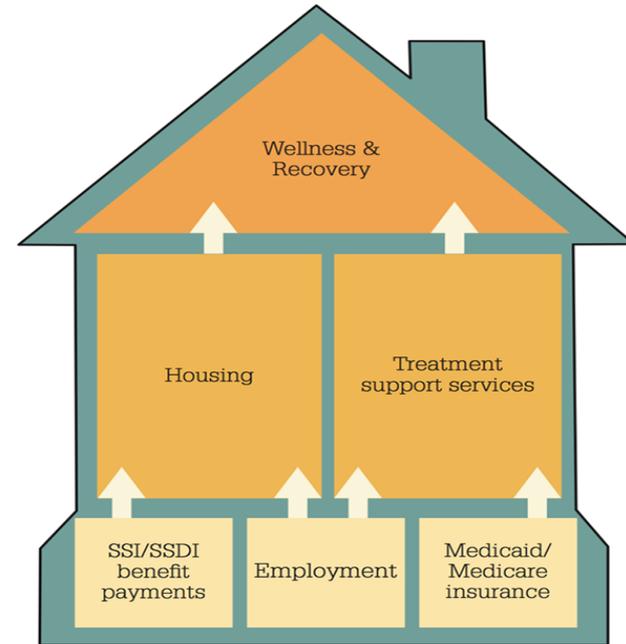


A Foundation for Recovery, Resiliency, and Reentry Success

More Than Income

- Access to health care and housing
- Increased education and employment opportunities
- Decrease in incarcerations and hospitalizations

SSI/SSDI: One Brick in Foundation



SOAR Implementation Requires Planning



Collaborations with Corrections



2017
-
2019

SOAR WORKS SOAR and Criminal Justice Technical Assistance Awards



2017

- A. Maricopa County Correctional Health Services
- B. Burrell, Inc.
- C. Elgin Police Dept.
- D. Mecklenburg County Criminal Justice Services
- E. Consumer Health Coalition
- F. The Kent Center



2018

- A. Mississippi Dept. of Corrections
- B. Directions for Living
- C. Martin Girls Academy
- D. Delaware Dept. of Corrections
- E. Newark Community Solutions
- F. New Hour for Women and Children



2019

- A. California Dept. of State Hospitals
- B. Riverside University Health System in collaboration with Riverside County Jail
- C. Volunteers of America Southeast Louisiana
- D. Chattanooga City Hamilton County Mental Health Court
- E. Legal Council for Health Justice in collaboration with Cook County Dept. of Corrections
- F. Second Chance Reentry

SOAR Criminal Justice Outcomes

CRIMINAL JUSTICE

445

cumulative total of
SOAR-assisted initial
SSI/SSDI applications
for people residing in
correctional facilities

86

average days
to decision

73%

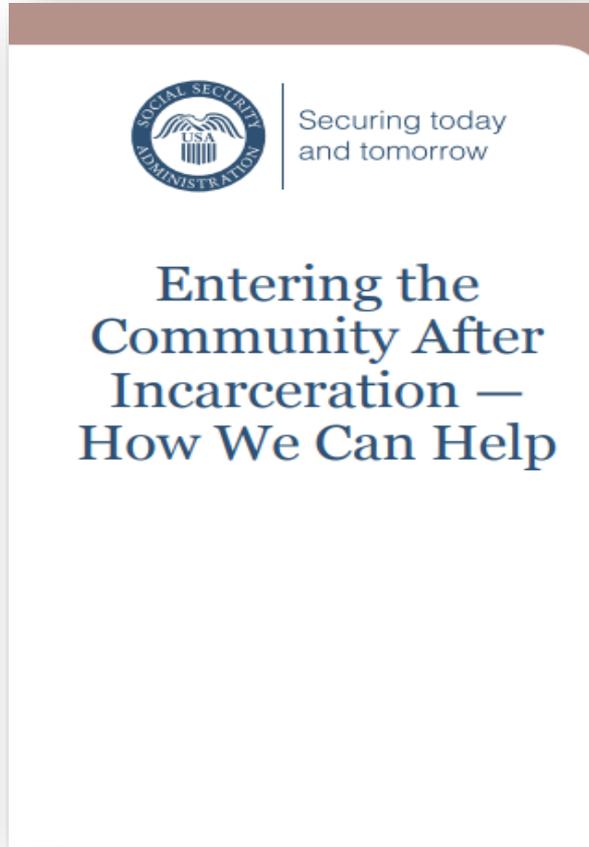
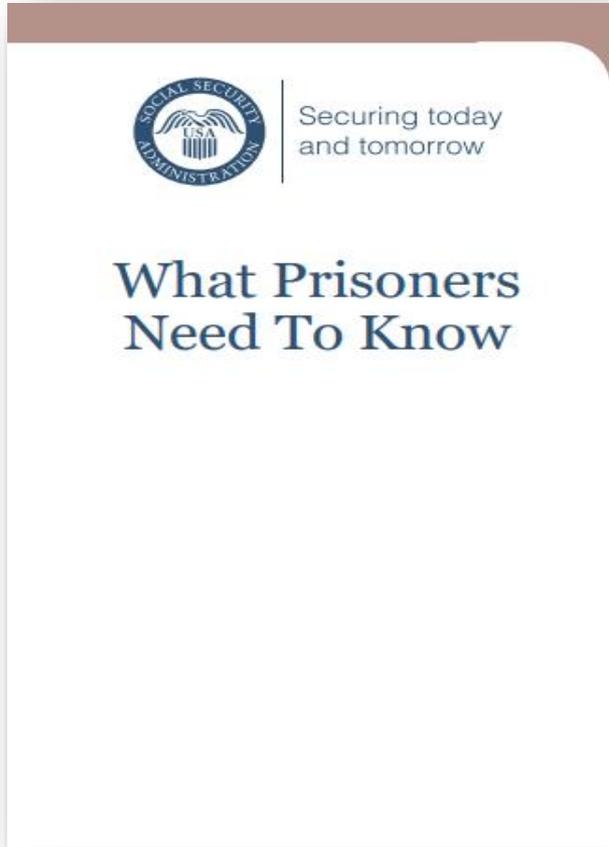
approval rate

**Data Accessed from SOAR Online Application Tracking (OAT) report March 6, 2020*

Benefits Acquisition: The Underutilized Reentry Tool

- For eligible individuals, benefits acquisition increases access to income and health insurance and promotes successful reentry
 - Income = Access to housing security
 - Insurance = Access to treatment
 - Housing + Treatment = Reduction in recidivism
 - Reduction in recidivism = Reduced financial burden to states, counties, and agencies

SSA Benefits for Justice-Involved Persons



Justice-Involved Persons

- A person can apply for benefits while incarcerated
- Prior history of incarceration alone does not make someone (in)eligible for benefits
- Warrants (other than escape) should not hinder a person from applying or receiving payment

Pre-Release Applications

- New applications can be made prior to release
- The general rule is 30 days prior to the expected release date
- Pre-release agreements between SSA and the institution can be extended to as many as 120 days prior to release

Receiving Benefits: Supplemental Security Income (SSI)



Incarceration Time	Effect on Benefits	Action Needed Upon Release
< 1 full calendar month	No effect	N/A
1 - 12 calendar months	Suspended	Can be reinstated upon release
12+ consecutive calendar months	Terminated	Must reapply*

*As a general rule, reapplication can be made 30 days prior to expected release date but benefits cannot begin until release. With a pre-release agreement, this time can be extended to 120 days prior to release.

Receiving Benefits: Social Security Disability Insurance (SSDI)



Incarceration Time	Effect on Benefits	Action Needed Upon Release
< 30 days	No effect	N/A
> 30 days* *convicted and confined	Suspended	Can be reinstated upon release

*Recipients are eligible to continue receiving their benefits until they are convicted of a criminal offense and confined to a penal institution for more than 30 continuous days.

SOAR and Criminal Justice Resources

<https://soarworks.prainc.com/topics/criminal-justice>

- Infographics
- FAQs
- Sample tools
- Issue Brief

SOAR WORKS
SOAR Enhances Recovery and Promotes Successful Reentry

The Need

641,100 people who had been sentenced to state and federal prison were released to their communities in 2015. <https://soarworkscenter.org/nrc/facts-and-trends/>

9 million people are released from jail each year. <https://soarworkscenter.org/nrc/facts-and-trends/>

40 percent of jail inmates reported at least one disability (Bronson, Maruschak, and Bensifka, 2015)

SSI/SSDI Outreach, Access, and Recovery (SOAR) is a national program designed to increase access to the disability income benefit programs administered by the Social Security Administration.

"People with serious mental illness are more likely to be arrested multiple times for the same crime, spend more time in jail before adjudication, serve longer sentences, and have higher recidivism rates than those without mental illness." (Werns, McGregor, and Muretti, 2018)

Criminal justice involvement and serious mental illness pose unique challenges for community service providers and reentry staff responsible with helping people who are incarcerated to plan for successful transition to communities.

SOAR can be a viable tool in reentry efforts for those who are at-risk for homelessness upon release and can increase housing stability for those who are released to permanent housing without income.

Importance of SSI/SSDI for Justice-Involved Persons with Serious Mental Illness

Income: The income from SSI/SSDI benefits can increase housing opportunities for people returning to communities.

Health Insurance: People returning to communities can use the Medicaid and Medicare health insurance that comes with SSI/SSDI for physical health and mental health treatment and services.

Goal: "Decision Before Discharge" Beginning the application pre-release can facilitate expedited access to benefits upon release.

SSA Benefits + Support = Increased Housing Opportunities and Access to Treatment + Reduction in Recidivism Individuals with serious mental illness and/or co-occurring substance use disorders may be eligible for Social Security Administration (SSA) disability benefits if they are unable to engage in substantial gainful activity (SGA) and their impairment has lasted or is expected to last for a continuous period of at least 12 months OR result in death.

SOAR and Criminal Justice Tools and Resources

- Identifying SOAR Applications in Criminal Justice Settings <https://bit.ly/2NtEg0l>
- SOAR CJ Stakeholder Team Matrix <https://bit.ly/2C0kaH1>
- Action Plan and Sample Action Plan Template: Criminal Justice <https://bit.ly/2LWorWd>
- SOAR Sample Referral Tool: Criminal Justice <https://bit.ly/2M1G5h1>

For more information: soar@prainc.com | (518) 439-7415 ext. 2 | <https://soarworks.prainc.com/>

SOAR Works for Individuals Involved in the Criminal Justice System

Issue Brief and Infographic



SSI/SSDI Outreach, Access, and Recovery

November 2019

SOAR Works for Individuals Involved in the Criminal Justice System

Dazara Ware, M.P.C.

The Bureau of Justice Statistics (BJS) found that 37 percent of people in prison and 44 percent of people in jail had been told by a mental health professional in the past that they had a mental disorder (2017). The disorders reported included major depressive disorder, bipolar disorder, schizophrenia, anxiety disorder, post-traumatic stress disorder, and personality disorder (BJS, 2017). In addition, the National Reentry Resource Center (n.c.) reported that 644,100 people who had been sentenced to detention in state and federal prisons were released to their communities and that approximately 9 million people are released from jail each year. The number of people being released each year, coupled with strong evidence pointing to the likelihood of such individuals having serious mental illnesses, makes the case for resources that can increase post-release success deserving urgent attention (Steinman, Carter, Clark, Case, & Semuels, 2009).

Introduction

The Social Security Administration (SSA), through its Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) programs, can provide income and other benefits to support a healthy return to communities for previously incarcerated individuals. SSI/SSDI Outreach, Access, and Recovery (SOAR), a project funded by the Substance Abuse and Mental Health Services Administration (SAMHSA), is a national technical assistance program that helps people who are experiencing or at risk for homelessness to access SSA disability benefits. The [SAMHSA SOAR Technical Assistance Center](#) can help local corrections and community transition staff integrate benefit options with community reentry strategies for people with serious mental illness and co-occurring disorders to promote post-release success.

This best practices summary describes the following:

- The connections between serious mental illness, homelessness, and incarceration
- What happens to SSI/SSDI benefits when a recipient becomes incarcerated
- The role of SOAR in reentry planning
- Best practices for increasing access to SSI/SSDI benefits for people with serious mental illness who are reentering communities from jails and prisons

Incarceration Impacts All Systems of Care

People with serious mental illness are more likely to be arrested multiple times for the same crime, spend more time in jail before adjudication, serve longer sentences, and have higher recidivism rates than those without mental illness (Whren, McGregor, & Munetz, 2018). The post-release barriers experienced by people with criminal justice involvement and mental illness pose unique challenges not only for the individual but also for community service providers and reentry staff responsible for helping plan their successful transition into communities. The incarceration of people with mental illness poses social, economic, and public health concerns and makes reentry efforts to address these barriers unique. However, attention must be given to this large segment of our population to promote health upon return to the community (Ware & Dennis, 2013).

In general, the intersection of criminal justice and behavioral health not only affects the justice-involved person but all systems involved in their care (treatment, housing, employment, and supervision). A study in New York City found that individuals with mental illnesses were less likely to make bail and stayed in jail considerably longer before making bail. In addition, the average length of stay varied based on severity of mental illness. Individuals with serious mental illnesses (SMI) had a shorter average length of stay than those with identified mental illnesses who did not meet the criteria for SMI (91 vs. 128 days), but both groups had significantly longer average lengths of stay than those without mental illnesses (61 days) (Council of State Governments Justice



for Individuals Involved in the Criminal Justice System

Incarceration and SSA Disability Benefits

The Social Security Administration (SSA), through its Supplemental Security Income and Social Security Disability Insurance programs, can provide income and other benefits to support a healthy return to communities for previously incarcerated individuals. SSI/SSDI Outreach, Access, and Recovery (SOAR), a project funded by the Substance Abuse and Mental Health Services Administration (SAMHSA), is a national technical assistance program that helps people who are experiencing or at risk for homelessness to access SSA disability benefits. The SAMHSA SOAR Technical Assistance Center can help local corrections and community transition staff integrate benefit options with community reentry strategies for people with serious mental illness and co-occurring disorders to promote post-release success.

People with mental illnesses remain in jail eight times longer than other offenders at a cost that is seven times higher (Mental Health America, 2008).	At least three quarters of incarcerated individuals with mental illness have a co-occurring substance use disorder (Council of State Governments, 2012).	More than 20 percent of prisoners with mental illness experienced homelessness in the months before their incarceration, compared with 10 percent of the general prison population (Greenberg & Roalson, 2008).
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BEHAVIORAL HEALTH } **CRIMINAL JUSTICE**

The intersection of criminal justice and behavioral health not only affects the justice-involved person but all systems involved in their care.

TREATMENT, HOUSING, EMPLOYMENT, SUPERVISION

SOAR and CJ Work!

As of August 10, 2019

73% of 407 SOAR-assisted initial applications were approved for applicants residing in jail or correctional facilities in an average of 85 days.

according to the SOAR Online Application Tracking (OAT) system

SOAR initiatives within criminal justice settings continue to link people with mental illness to benefits upon their release, helping provide the momentum for more correctional facilities to consider using this approach as a foundation for building successful transitions of reentry programs.

Thank You

SAMHSA's mission is to reduce the impact of substance abuse and mental illness on America's communities.

Dazara Ware, MA

SAMHSA SOAR TA Center

dware@prainc.com

www.samhsa.gov

1-877-SAMHSA-7 (1-877-726-4727) • 1-800-487-4889 (TDD)

SOAR Implementation in a California Forensic State Hospital

Deborah Dunham, LCSW
Community Integration Coordinator
California Department of State Hospitals-Coalinga
Coalinga, California

March 25, 2020

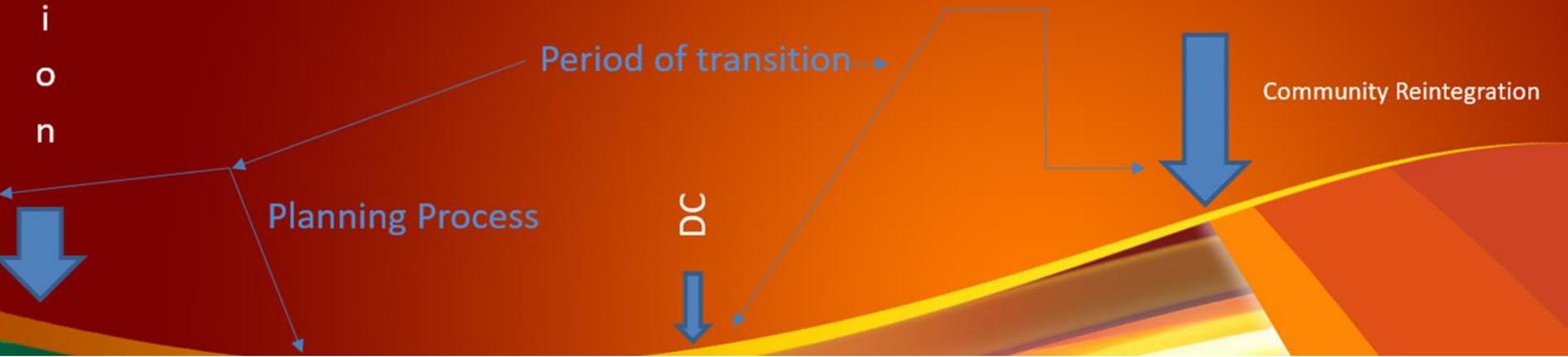


SAMHSA
Substance Abuse and Mental Health
Services Administration

State Hospital Discharge Planning Process Flow

A
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Discharge Planning Process- Flow
Continuity-in-Care/Continuum of Care



Unconditional Discharges and “Decisions Before Discharge”



Community Outpatient Treatment



No court ordered service



Legislative Mandates- Discharge



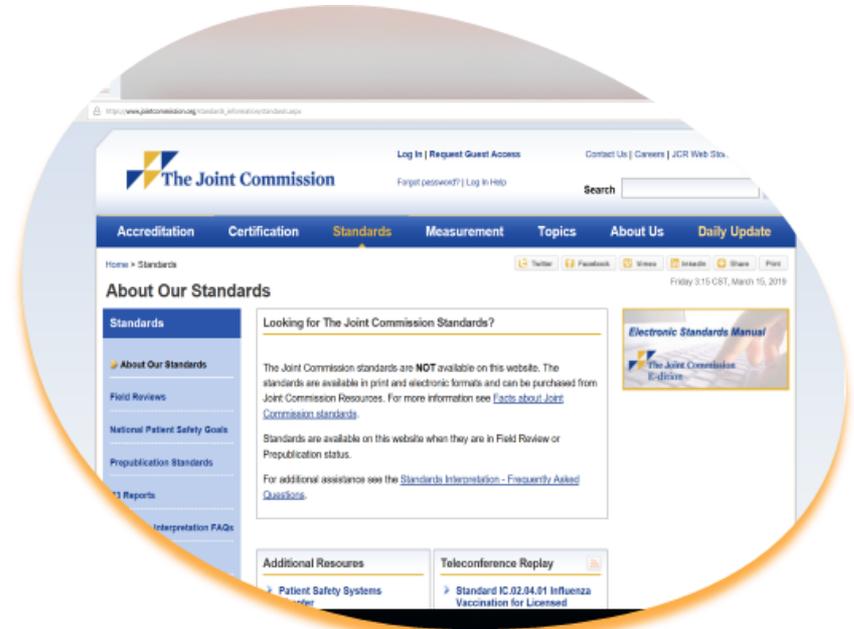
Accreditation Standards



Best Practice – Research Driven

Accreditation

- The accreditation standards requires that a hospital ‘facilitates the discharge or transfer process and helps to ensure that continuity of care, treatment and services is maintained.’
(Standard PC, 1510)



The Who, What, and How

- Executive Administrators, Medical Director, and Interdisciplinary Department Chairs
- Pilot proposal for SOAR model and staff
- Facilitate SOAR Online Course training for case managers
- Facilitate hospital-wide SOAR Orientation

How SOAR Has Helped



Build good working relationships with our partners at SSA and DDS



Increase pre-discharge SOAR-assisted claims and approvals



Patient funding streams and basic needs are more easily met

Thank You

SAMHSA's mission is to reduce the impact of substance abuse and mental illness on America's communities.

Deborah Dunham, LCSW

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SOAR Implementation in the Kansas State Department of Correction

Amy Dean-Campmire

Michelle Cadue

Kansas Department of Correction
Mental Health and Housing Program
Topeka, Kansas

March 25, 2020



SAMHSA
Substance Abuse and Mental Health
Services Administration

What to Consider

Logistics

Staffing

Need

Management support



Lessons Along the Way



Management
support



Staffing



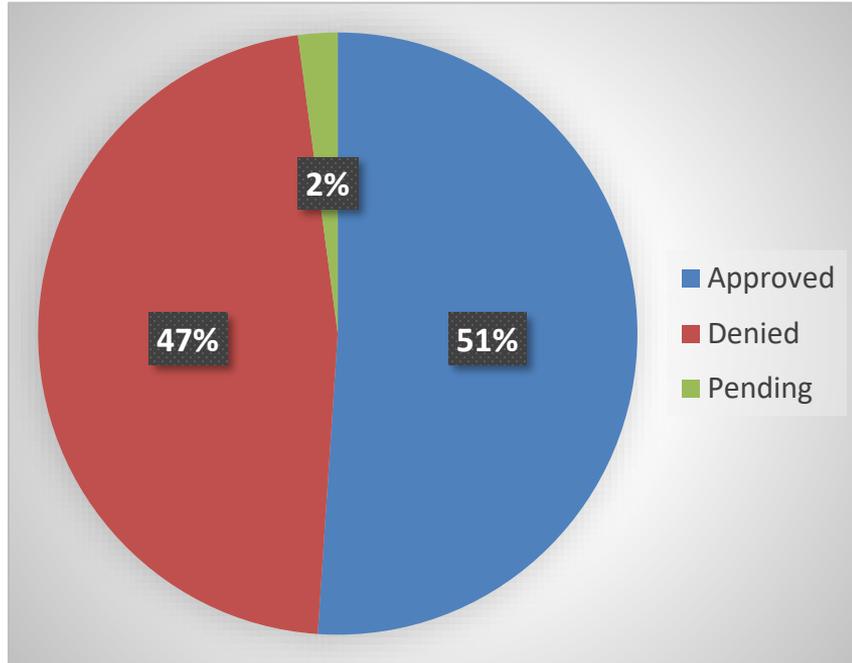
Understanding of
each facility's
differences



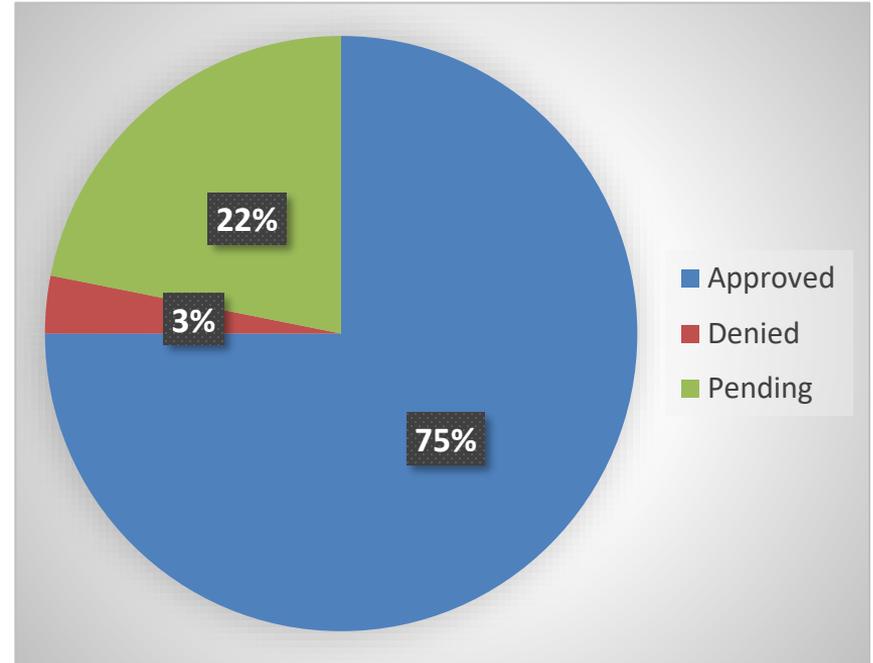
Understanding your
partners

SOAR Outcomes (as of 3/5/2020)

Discharge Planner Submissions



Identified SOAR Specialist



Timing and Preparation = Successful Outcomes

- Familiarize yourself with the correctional setting, rules, and schedules
- Review individual's intake documentation, criminal history (past and recent infractions), medical status (medication and diagnosis)
- Keep required forms, pen, and blank paper on hand

Timing and Preparation = Successful Outcomes

- Engage, Observe, Listen, and Record (individual, staff, environment)
- Ask open-ended questions
 - Always follow up with **WHY?, Tell me more about?**
 - Allow interviews to flow like conversations
 - Redirect *only* when a pattern of meandering is constant
 - Collect numerous quotes verbatim

Translating Functional Limitations in a Controlled Environment

- **SOAR Critical Component: Medical Summary Report (MSR)**
 - **Part B: Functional Information (SSA Blue Book Listings)**
 - **Understand, Remember, or Apply Information**
 - **Interact with Others**
 - **Concentrate, Persist, or Maintain Pace**
 - **Adapt or Manage Oneself**

Behavior Translations

- Medical/Mental Health Insight – Diagnosis, Medication, Triggers, Compliance
- Communicate, Memory, Advocate for Self
- Program Participation, Complete Tasks
- Socialize, Relationships, Boundaries
- Appropriate Hobbies, Interests, Activities
- Personal Hygiene and Cell Cleanliness
- Special Housing Needs/Security Escort
- Institutional Behavior/Dependence
- Disciplinary Reports – Why? Frequency?

Understand, Remember, or
Apply Information

Concentrate, Persist, or
Maintain Pace

Interact with Others

Adapt or Manage Oneself

Thank You

SAMHSA's mission is to reduce the impact of substance abuse and mental illness on America's communities.

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Michelle CadueMichelle Cadue

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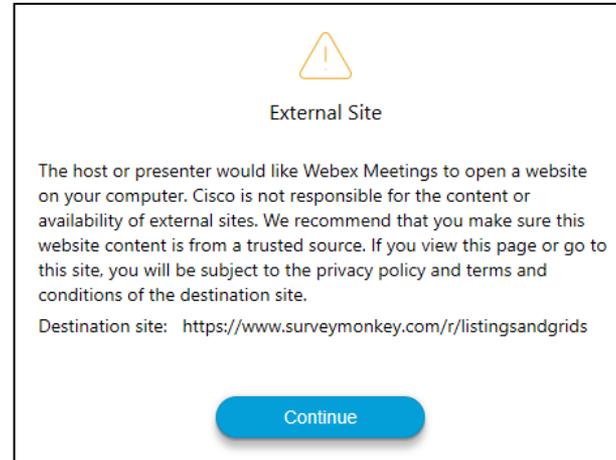
Please type your questions into the Q&A box on the right of your screen.

Next Steps

- ✓ Familiarize yourself with SOAR and Criminal Justice tools and resources
- ✓ Contact your SAMHSA SOAR TA Center Liaison with questions
- ✓ Complete the SOAR Online Course
- ✓ Report SOAR Outcomes in OAT!

Webinar Evaluation

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- You will receive this alert that you are leaving WebEx.
- Please click “Continue”!



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